

House File 2191 - Introduced

HOUSE FILE _____
BY ZIRKELBACH, BUKTA, D. TAYLOR,
WISE, SHOMSHOR, REASONER,
SCHUELLER, SMITH, QUIRK, DAVITT,
D. OLSON, BAILEY, LENSING,
WESSEL=KROESCHELL, HUNTER,
WENDT, THOMAS, MURPHY, MERTZ,
MASCHER, HEDDENS, GASKILL, KUHN,
H. MILLER, BELL, BERRY, FREVERT,
WHITEAD, LYKAM, WHITAKER, GAYMAN,
WINCKLER, KELLEY, FOEGE, and
REICHERT

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act prohibiting the sale at retail of designated flags
2 manufactured outside of the United States and establishing a
3 penalty.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 5255YH 82
6 rn/nh/5

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1 1 Section 1. NEW SECTION. 554E.1 SALE OF FLAGS ==
1 2 RESTRICTION.
1 3 1. a. A person shall not sell or offer for sale at retail
1 4 in this state on or after January 1, 2009, any of the
1 5 following flags, unless the flag was manufactured in the
1 6 United States:
1 7 (1) The United States flag.
1 8 (2) The state flag of Iowa.
1 9 (3) A flag representing or commemorating United States
1 10 soldiers characterized as missing in action or prisoners of
1 11 war.
1 12 b. For purposes of this section, "person" includes an
1 13 individual, an owner or operator of a retail mercantile
1 14 establishment, or an agent, employee, officer, director,
1 15 franchisee, or independent contractor of such owner or
1 16 operator.
1 17 2. A person violating this section shall be guilty of a
1 18 simple misdemeanor. Each sale made in violation of this
1 19 section constitutes a separate offense.
1 20 EXPLANATION
1 21 This bill prohibits a person from selling or offering for
1 22 sale at retail, on or after January 1, 2009, designated forms
1 23 of flags unless the flags are manufactured in the United
1 24 States. Flags encompassed by the prohibition include the
1 25 United States flag, the state flag of Iowa, and flags
1 26 representing or commemorating United States soldiers
1 27 characterized as missing in action or prisoners of war. The
1 28 bill provides a "person" includes an individual, an owner or
1 29 operator of a retail mercantile establishment, or an agent,
1 30 employee, officer, director, franchisee, or independent
1 31 contractor of such an owner or operator.
1 32 The bill establishes a penalty of a simple misdemeanor for
1 33 violations of the prohibition. A simple misdemeanor is
1 34 punishable by confinement for no more than 30 days or a fine
1 35 of at least \$65 but not more than \$625 or by both. The bill
2 1 specifies that each sale made in violation of the prohibition
2 2 shall be considered a separate offense.
2 3 LSB 5255YH 82
2 4 rn/nh/5